

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(a)**

Benesch, Friedlander, Coplan & Aronoff LLP
Kevin M. Capuzzi (NJ No. 173442015)
Continental Plaza II
411 Hackensack Ave., 3rd Floor
Hackensack, NJ 07601-6323
Telephone: (302) 442-7010
Facsimile: (302) 442-7012
kcapuzzi@beneschlaw.com

Counsel to PREP Home Retail-Oceanside LLC

In re:

BED BATH & BEYOND INC., *et al.*¹,

Debtor.

Chapter 11

Case No. 23-13359 (VFP)

Judge: Vincent F. Papalia

NOTICE OF APPEARANCE

PLEASE TAKE NOTICE that an appearance is hereby entered, and request is hereby made on behalf of PREP Home Retail-Oceanside LLC (“PREP”), in accordance with 11 U.S.C. § 1109(b), and Fed. R. Bankr. P. 2002 and 9010(b) (the “Rules”), that all papers, pleadings, motions, and applications served or required to be served in the above-captioned cases, be given to and served upon:

BENESCH, FRIEDLANDER, COPLAN &
ARONOFF LLP
Kevin M. Capuzzi
1313 North Market Street, Suite 1201
Wilmington, DE 19801
Telephone: (302) 442-7010
Facsimile: (302) 442-7012
kcapuzzi@beneschlaw.com

BUCHALTER
Anthony J. Napolitano
1000 Wilshire Boulevard
Suite 1500
Los Angeles, CA 90017-1730
Telephone: (213) 891-5109
anapolitano@buchalter.com

¹The last four digits of Debtor Bed Bath & Beyond Inc.’s tax identification number are 0488. A complete list of the Debtors in these Chapter 11 Cases and each such Debtor’s tax identification number may be obtained on the website of the Debtors’ proposed claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.’s principal place of business and the Debtors’ service address in these Chapter 11 Cases is 650 Liberty Avenue, Union, New Jersey 07083.

PLEASE TAKE FURTHER NOTICE that the foregoing request includes not only the notices and the papers referred to in the Rules specified above, but also includes, without limitation, orders and notices of any application, motion, petition, pleading, request, or demand, any plan or disclosure statement, and any answering or reply papers filed in the above-captioned cases or in any associated case or adversary proceeding.

PLEASE TAKE FURTHER NOTICE that PREP does not intend this Notice of Appearance, nor any subsequent appearance, pleading, claim, or suit, to waive any rights to which it may be entitled including, but not limited to: (i) its right to have final orders in noncore matters entered only after *de novo* review by a District Judge; (ii) its right to trial by jury in any proceeding related to these cases, or any right to arbitration; (iii) its right to move for abstention; (iv) its right to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal; or (v) any rights, claims, actions, defenses, setoffs, or recoupments to which they may be entitled under agreements, in law or in equity, all of which rights, claims, actions, defenses, setoffs, and recoupments it expressly reserves.

PLEASE TAKE FURTHER NOTICE that this Notice of Appearance does not constitute an agreement to accept service of initial process under Fed. R. Civ. P. 4 or Fed. R. Bankr. P. 7004, nor shall it result in the undersigned counsel being deemed to be the agent of PREP for such purpose.

Dated: June 15, 2023

BENESCH, FRIEDLANDER,
COPLAN & ARONOFF LLP

By: /s/ Kevin M. Capuzzi
Kevin M. Capuzzi (NJ No. 173442015)

Counsel to PREP Home Retail-Oceanside LLC